

# Notice of Allowability

Application No.

10/032,100

Examiner

Robert W. Wilson

Applicant(s)

GRAND ET AL

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## -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 3/22/06.
2. ☒ The allowed claim(s) is/are 1-11.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☐ All b) ☐ Some\* c) ☐ None of the:
    1. ☐ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
  5. ☐ CORRECTED DRAWINGS ( as "replacement sheets") must be submitted.
    - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review ( PTO-948) attached
      - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
    - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

### Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO-1449 or PTO/SB/08),  
Paper No./Mail Date 11/25/03
4. ☐ Examiner's Comment Regarding Requirement for Deposit  
of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413),  
Paper No./Mail Date \_\_\_\_\_.
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other \_\_\_\_\_.

***Allowable Subject Matter***

1. Claims 1, 5, 7-10 are allowed.

The following is an Examiner's statement of reasons for allowance:

Relative to claim 1, applicant's argument on the record are clear. In claim 2 the DOCSIS-formatted packet is a Data-Over-Cable Service Interface Specification or DOCSIS formatted packet.

The closest prior art is Chapman (U.S. Patent No.: 6,438,123). Chapman teaches receiving an Ethernet packet or downstream packet. Extracing the Ethernet header information, suppressing the Ethernet header information. Creating a downstream Data-Over-Cable Service Interface Specification (DOCSIS) packet with a CRC error. Also EDHR or encryption information is in the DOCSIS header. The FGPS which is the Data-Over-Cable Service Interface Specification or DOCSIS header inherently has a header check sequence.

Claims 5, 7-9 are considered allowable since when reading the claims in light of the specification, none of the references of record alone or in combination disclose or suggest the combination of limitations specified in the independent claims including "if the downstream packet contains a MAP message [note: MAP is a specific message format defined in the Data-Over Cable Service Interface (DOCSIS) Specification which is an upstream bandwidth allocation message generated by the Cable Modem Termination System (CMTS)] , formatting the MAP message in a MAP First In First Out (FIFO) format", as specified in claimed in claim 5

The closest prior art is Chapman (U.S. Patent No.: 6,438,123). Chapman teaches: CM which inherently has a processor which receives a down stream packet via a port or packet port ingress

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engine. The CM inherently has a module that suppressed Data-Over-Cable Service Interface Specification (DOCSIS) headers base upon receipt of tag 49 per Fig 3.


Claim 10 is considered allowable since when reading the claims in light of the specification, none of the references of record alone or in combination disclose or suggest the combination of limitations specified in the independent claims including "a header creation module for creating a Data-Over-Cable Service Interface Specification (DOCSIS) header on the basis of said packet descriptor and appending said Data-Over-Cable Service Interface Specification (DOCSIS) header to a payload of the down stream packet ", as specified in claimed in claim 11

***Conclusion***

2. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Robert W. Wilson whose telephone number is 571/272-3075. The examiner can normally be reached on M-F (8:00-4:30).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Doris To can be reached on 571/272-7629. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

  
**DORIS H. TO**  
**SUPERVISORY PATENT EXAMINER**  
**TECHNOLOGY CENTER 2600**

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A handwritten signature in black ink, appearing to read "Robert W. Wilson". The signature is fluid and cursive, with a prominent initial "R" and a long, sweeping underline.

Robert W Wilson

Examiner

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RWW

4/27/06